

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC.,)	
a California Corporation,)	
)	
Plaintiff and)	
Counterclaim-Defendant,)	
)	
v.)	C. A. No. 04-1199 (SLR)
)	
INTERNET SECURITY SYSTEMS, INC.,)	
a Delaware Corporation, INTERNET)	PUBLIC VERSION
SECURITY SYSTEMS, INC., a Georgia)	
Corporation, and SYMANTEC)	
CORPORATION, a Delaware Corporation,)	
)	
Defendants and)	
Counterclaim-Plaintiffs.)	

**SECOND DECLARATION OF DAVID E. MOORE IN SUPPORT OF DEFENDANT ISS'
AND SYMANTEC'S JOINT MOTION FOR SUMMARY JUDGMENT THAT THE
PATENTS-IN-SUIT ARE VALID FOR FAILURE TO DISCLOSE THE BEST MODE**

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Dated: June 16, 2006

Public Version Dated: June 22, 2006

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SRI INTERNATIONAL, INC., a
California Corporation,

Plaintiff,

$$V_n$$

C. A. No.: 04-1199 (SLR)

INTERNET SECURITY SYSTEMS, INC.,
a Delaware Corporation, INTERNET
SECURITY SYSTEMS, INC., a Georgia
Corporation, and SYMANTEC
CORPORATION, a Delaware Corporation,

Defendants and Counterclaim-Plaintiffs.

DECLARATION OF DAVID E. MOORE

I, David E. Moore, hereby declare as follows:

1. I am associated with Potter, Anderson & Carroon LLP, counsel of record in this action for Internet Security Systems, Inc. I make this Declaration in support of “Defendants’ ISS and Symantec’s Joint Motion For Summary Judgment That The Patents-In-Suit Are Invalid For Failure To Disclose The Best Mode” and would and could competently testify to the matters set forth below if called upon to do so.

2. Attached hereto as Exhibits A-D are true and correct copies of U.S. Patent Nos. 6,321,338 ("the '338 patent"), 6,484,203 ("the '203 patent"), 6,711'615 ("the '615 patent") and 6,708,212 ("the '212 patent").

3.

REDACTED

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REDACTED

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REDACTED

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13. Attached hereto as Exhibit O is a true and correct copy of the Lincoln

Labs Evaluation Schedule available at

<http://www.ll.mit.edu/IST/ideval/docs/1998/introduction/sld007.htm>.

14.

REDACTED

15.

16.

17.

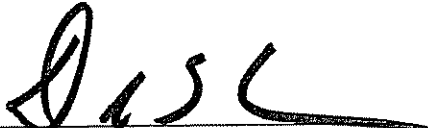
REDACTED

18. Attached hereto as Exhibit T is a true and correct copy of Order Granting Plaintiffs Motion To Compel, *Silicon Graphics, Inc. v. nVIDIA Corp.*, Civil Action No. 98-188-RRM, pp. 1-2 (D. Del. December 29, 1998).

19. Attached hereto as Exhibit U is a true and correct copy of the January 6, 1995 Conference on a Motion to Compel in *Georgia-Pacific Corp. v. United States Gypsum Co.*, Civil Action No. 94-489-RRM.

20. Attached hereto as Exhibit V Attached are true and correct copies of selected pages of the Deposition Transcript of George Kesidis.

EXECUTED this 16th day of June, 2006 in Wilmington, Delaware.



David E. Moore

Public Version Dated: June 22, 2006

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on June 22, 2006, the foregoing document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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I hereby certify that on June 22, 2006, I have Federal Expressed the attached document to the following non-registered participants:

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